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ORDINANCE NO. 5-09

BY: **ROY J. JECH**
(By Request – City Engineer)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF GRANTWOOD DRIVE, SOUTH PARK BOULEVARD, WEST RIDGEWOOD DRIVE AND BROADVIEW ROAD AT RUSTIC TRAIL IN THE CITY OF PARMA, OHIO, BY CONSTRUCTING SANITARY SEWERS, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. It is determined to proceed with the improvement of Grantwood Drive, South Park Boulevard, West Ridgewood Drive and Broadview Road at Rustic Trail in the City of Parma by constructing certain sanitary sewers, together with all appurtenances necessary and proper therefor, in accordance with Resolution No. 69-07, adopted by this Council on May 5, 2008, (the "Resolution"), and with the plans, specifications and estimate of cost approved and now on file in the office of the Clerk of Council.

Section 2. Council finds and determines that no claims for damages resulting from the improvement have been filed.

Section 3. The estimated assessments previously prepared and filed in the office of the Clerk of Council pursuant to Resolution No. 69-07 are adopted.

Section 4. The report of the Assessment Equalization Board was approved and adopted by Resolution No. 4-09, adopted on _____.

Section 5. The portion of the cost of the improvement to be assessed against benefited property shall be assessed in the amount, manner and number of installments provided in Resolution No. 69-07 and Resolution No. 4-09.

Section 6. That the Service Director is hereby directed to advertise for bids for the construction of the improvement in the manner provided by law and, subject to Ohio Revised Code 727.24 and the availability of funds, to enter into a contract for the improvement with the lowest and best bidder.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Ord. determining to proceed with the improvement of Grantwood Drive, South Park Boulevard, West Ridgewood Drive and Broadview Road at Rustic in the City of Parma, Ohio, by constructing sanitary sewers, and declaring an emergency

Section 8. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary so that construction of the sanitary sewers for this area may proceed without delay, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO